

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

IVAN BRIAN HAGGIN,

Plaintiff,

v.

BRAD CAIN,

Defendant.

Case No. 2:21-cv-00544-SU

ORDER

IMMERGUT, District Judge.

On August 6, 2021, Magistrate Judge Patricia Sullivan issued her Findings and Recommendation (“F&R”), ECF 20, recommending that this Court deny Petitioner’s Amended Motion to Stay, ECF 12, and deny his superseded Motion to Stay, ECF 9, as moot. Three days after the F&R issued, Petitioner filed a motion titled “Request to Withdraw.” ECF 22. No party filed objections to the F&R. This Order only addresses the F&R and the motions discussed therein.

DISCUSSION

Under the Federal Magistrates Act (“Act”), as amended, the court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.”

28 U.S.C. § 636(b)(1). If a party objects to a magistrate judge’s F&R, “the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” *Id.* But the court is not required to review, de novo or under any other standard, the factual or legal conclusions of the F&R to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 149–50 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc). Nevertheless, the Act “does not preclude further review by the district judge, *sua sponte*” whether de novo or under another standard. *Thomas*, 474 U.S. at 154.

No party having filed objections, this Court has reviewed the F&R, ECF 20, and accepts Judge Sullivan’s conclusions. The F&R is adopted in full. Petitioner’s Amended Motion to Stay, ECF 12, is denied, and Petitioner’s superseded Motion to Stay, ECF 9, is denied as moot.

IT IS SO ORDERED.

DATED this 25th day of August, 2021.

/s/ Karin J. Immergut
Karin J. Immergut
United States District Judge